

**DELEGATION OF AUTHORITY  
FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)**

Pesticide Worker Protection Standard: State Equivalency Determinations

1. **AUTHORITY.** To make a determination under FIFRA section 2(ee)(6) that use of a pesticide in compliance with a state worker protection regulation is consistent with the purposes of the Act and therefore, that such pesticide use would not result in use of a registered pesticide in a manner inconsistent with its labeling..
2. **TO WHOM REDELEGATED.** To the Director, Enforcement and Compliance Assurance Division, or equivalent.
3. **LIMITATIONS.**
  - a. The authority is limited to determinations for use of a pesticide in compliance with a state worker protection regulation that is determined to provide protection equivalent to the provisions of the Worker Protection Standard, 40 CFR part 170.
  - b. The authority applies only in those situations for which the Regional Administrator has made a finding of equivalency based on the guidance criteria issued by OCSPP.
  - c. The Regional Administrator, with the concurrence of the Director, Office of Pesticide Programs, retains the authority to revoke or suspend the certification of a State to register pesticides to meet special local needs.
  - d. The Regional Administrator, or his/her designee, must consult with the AA for OCSPP, or his/her designee, and the AA for OECA, or his/her designee, prior to exercising this delegated authority.
4. **REDELEGATION AUTHORITY.**
  - a. This authority may not be redelegated.
  - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESSION.** This delegation supersedes R10 5-34 (05/28/2004) and any other delegation of the same authority.
6. **ADDITIONAL REFERENCES.**
  - a. Section 2(ee)(6) of FIFRA.
  - b. EPA Delegation 5-34.

APR 15 2019

Date



Chris Hladick  
Regional Administrator